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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FOURTH QUARTER OF
2017**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on January 19, 2018, Plaintiffs served on Defendants
5 their Fourth Quarterly Statement for 2017 by overnight delivery. The parties completed
6 their meet-and-confer process on March 23, 2018 as to the fees and costs incurred on all
7 matters.

8 As a result of the March 23, 2018 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,101,288.17 to resolve all fees and costs
10 incurred during the Fourth Quarter of 2017, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.

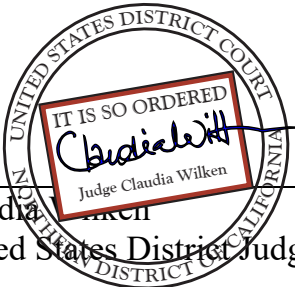
15 The parties agree to the payment of \$49,771.21 to resolve all fees and costs incurred
16 during the Fourth Quarter of 2017, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

20 The parties agree to the payment of \$237,165.03 to resolve all fees and costs
21 incurred during the Fourth Quarter of 2017, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$12,332.20 to resolve all fees and costs incurred
26 during the Fourth Quarter of 2017, for fees work. Attached hereto as **Exhibit D** are charts
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from February 19, 2018, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: March 28, 2018


Claudia Wilken
United States District Judge

7
8
9 APPROVED AS TO FORM:

10
11 DATED: March 26, 2018

/s/Sharon Garske

Sharon Garske
Deputy Attorney General
Attorney for Defendants

12
13
14 DATED: March 23, 2018

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Brown
Fourth Quarterly Statement of 2017
October 1, 2017 through December 31, 2017

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,081,504.23	\$19,783.95
	TOTAL UNDISPUTED:	\$1,101,288.17

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2017	Claimed	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Fees</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	5.80	5.80	\$950	\$5,510.00	\$5,234.50
Gay C. Grunfeld (GCG)	32.70	32.70	\$825	\$26,977.50	\$25,628.63
Penny Godbold (PG)	266.90	266.90	\$675	\$180,157.50	\$171,149.63
Thomas Nolan (TN)	153.70	153.40	\$700	\$107,380.00	\$102,011.00
Michael L. Freedman (MLF)	67.00	65.00	\$575	\$37,375.00	\$35,506.25
Ben Bien-Kahn (BBK)	113.60	108.70	\$515	\$55,980.50	\$53,181.48
Krista Stone-Manista (KSM)	76.50	71.40	\$515	\$36,771.00	\$34,932.45
Jenny Yelin (JY)	51.60	48.10	\$500	\$24,050.00	\$22,847.50
Kara J. Janssen (KJJ)	1.50	0.00	\$500	\$0.00	\$0.00
Christopher D. Hu (CDH)	67.00	64.60	\$425	\$27,455.00	\$26,082.25
Devin W. Mauney (DWM)	13.70	13.20	\$425	\$5,610.00	\$5,329.50
Karen Stilber (KES)	54.10	50.00	\$325	\$16,250.00	\$15,437.50
Linda Woo (LHW)	10.30	10.30	\$325	\$3,347.50	\$3,180.13
F. Gail LaPurja (FGL)	1.50	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	15.10	12.00	\$275	\$3,300.00	\$3,135.00
Katherine Hamilton (KCH)	269.80	245.70	\$240	\$58,968.00	\$56,019.60
Dylan Verner-Crist (DVC)	32.10	30.10	\$240	\$7,224.00	\$6,862.80
Charlotte Landes (CJL)	10.00	10.00	\$240	\$2,400.00	\$2,280.00
Maisy H. Sylvan (MHS)	159.80	149.30	\$225	\$33,592.50	\$31,912.88
Nathalie Welch (NW)	31.90	21.70	\$240	\$5,208.00	\$4,947.60
Hanna Wallace (HW)	383.20	363.10	\$225	\$81,697.50	\$77,612.63
Total Hours:	1,817.80	1,722.00			
RBGG FEES:				\$719,254.00	\$683,291.30
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	36.70	36.70	\$950	\$34,865.00	\$33,121.75
Sara Norman (SN)	1.20	1.20	\$790	\$948.00	\$900.60
Corene Kendrick (CK)	86.70	86.70	\$675	\$58,522.50	\$55,596.38
Rita Lomio (RL)	161.80	161.80	\$595	\$96,271.00	\$91,457.45
Sia N. Henry (SNH)	95.40	95.40	\$425	\$40,545.00	\$38,517.75
Amber Norris (AN)	214.40	214.40	\$325	\$69,680.00	\$66,196.00
Megan Lynch (ML)	118.20	118.20	\$315	\$37,233.00	\$35,371.35
Joseph E. Bear (JEB)	8.50	8.50	\$250	\$2,125.00	\$2,018.75
Meg O'Neill (MO)	68.80	68.80	\$250	\$17,200.00	\$16,340.00
Ehsan Sadeghi (ES)	6.10	6.10	\$250	\$1,525.00	\$1,448.75
Molly Petchenik (MP)	121.90	121.90	\$250	\$30,475.00	\$28,951.25
Tania Amarillas (TA)	60.00	60.00	\$250	\$15,000.00	\$14,250.00
Stacy Amador (SA)	13.50	13.50	\$250	\$3,375.00	\$3,206.25
Sarah Hopkins (SH)	20.80	20.80	\$250	\$5,200.00	\$4,940.00
Katie Tertocha (KT)	24.3	24.3	\$250	\$6,075.00	\$5,771.25
Total Hours:	1,038.30	1,038.30			
PLO FEES:				\$419,039.50	\$398,087.53
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Case Clerk	0.80	0.80	\$165	\$132.00	\$125.40
Total Hours:	0.80	0.80			
DREDF FEES:				\$132.00	\$125.40
TOTAL CDCR/AOAP MONITORING FEES:				\$1,138,425.50	\$1,081,504.23

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Costs**Matter: CDCR/AOAP Merits/Monitoring**

<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>	Costs	Costs Now Owing Based on Negotiated
		<u>Compromise</u>
Photocopying (In house)	\$2,356.80	\$2,238.96
Photocopying/printing (Outside)	\$1,736.43	\$1,649.61
Translation/Interpreter Services	\$1,467.93	\$1,394.53
Education records requests for class members	\$15.00	\$14.25
Online Research - PACER, Westlaw	\$136.50	\$129.68
Postage & Delivery	\$175.99	\$167.19
Telephone	\$20.95	\$19.90
Travel - Mileage, Tolls, Food	\$4,881.07	\$4,637.02
Total RBGG Costs:	\$10,790.67	\$10,251.14
<u>Prison Law Office</u>		
Photocopying (In house)	\$991.40	\$941.83
Interpreting/Translation services	\$1,676.16	\$1,592.35
Travel - Mileage, Tolls, Food	\$5,718.97	\$5,433.02
Postage & Delivery	\$1,634.17	\$1,552.46
Total PLO Costs:	\$10,020.70	\$9,519.67
<u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$4.40	\$4.18
Postage & Delivery	\$9.44	\$8.97
Total DREDF Costs:	\$13.84	\$13.15
 TOTAL CDCR/AOAP MERITS/MONITORING COSTS:	 \$20,825.21	 \$19,783.95

EXHIBIT B

Armstrong v. Brown
Fourth Quarterly Statement of 2017
October 1, 2017 through December 31, 2017

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$48,769.68	\$1,001.54
TOTAL UNDISPUTED:		\$49,771.21

Armstrong v. Brown

Fourth Quarterly Statement of 2017
 October 1, 2017 through December 31, 2017

Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2017	Claimed	Fees Now Owing Based on <u>Negotiated</u> <u>Compromise</u>
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.4	1.4	\$950	\$1,330.00	\$1,263.50
Ernest Galvan (EG)	0.4	0.4	\$780	\$312.00	\$296.40
Gay C. Grunfeld (GCG)	6.80	6.80	\$825	\$5,610.00	\$5,329.50
Thomas Nolan (TN)	26.20	26.20	\$700	\$18,340.00	\$17,423.00
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$515	\$0.00	\$0.00
Jenny S. Yelin (JSY)	0.30	0.00	\$500	\$0.00	\$0.00
Karen Stilber (KES)	0.50	0.00	\$325	\$0.00	\$0.00
Katherine Hamilton (KCH)	7.20	5.70	\$240	\$1,368.00	\$1,299.60
Total Hours:	42.90	40.50			
RBGG FEES:				\$26,960.00	\$25,612.00
<u>PRISON LAW OFFICE</u>					
Sara Norman (SN)	8.10	8.10	\$790	\$6,399.00	\$6,079.05
Sia N. Hentry (SNH)	27.90	27.90	\$425	\$11,857.50	\$11,264.63
Mae Ackerman-Brimberg (MAB)	14.40	14.40	\$425	\$6,120.00	\$5,814.00
Total Hours:	50.40	50.40			
PLO FEES:				\$24,376.50	\$23,157.68
TOTAL FEES FOR BPH WORK:				\$51,336.50	\$48,769.68

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Costs**Matter: BPH**

	Costs	Costs Now Owing Based on Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Photocopying (In house)	\$54.00	\$51.30
Travel - Mileage, Tolls, Food	\$333.43	\$316.76
Total RBGG Costs:	\$387.43	\$368.06
 <u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$666.82	\$633.48
Total PLO Costs:	\$666.82	\$633.48
 TOTAL CLAIMED BPH COSTS:	\$1,054.25	\$1,001.54

EXHIBIT C

Armstrong v. Brown
Fourth Quarterly Statement of 2017
October 1, 2017 through December 31, 2017

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$232,214.20	\$4,950.83
TOTAL UNDISPUTED:		\$237,165.03

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2017	Claimed	Fees Now Owing Based on <u>Negotiated</u> <u>Compromise</u>
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.30	1.30	\$950	\$1,235.00	\$1,173.25
Gay C. Grunfeld (GCG)	23.10	23.10	\$825	\$19,057.50	\$18,104.63
Penny Godbold (PG)	15.70	13.70	\$675	\$9,247.50	\$8,785.13
Thomas Nolan (TN)	29.10	29.10	\$700	\$20,370.00	\$19,351.50
Michael L. Freedman (MLF)	43.60	43.60	\$575	\$25,070.00	\$23,816.50
Benjamin Bien-Kahn (BBK)	60.50	59.70	\$515	\$30,745.50	\$29,208.23
Krista Stone-Manista (KSM)	33.30	29.40	\$515	\$15,141.00	\$14,383.95
Jenny S. Yelin (JSY)	99.30	97.50	\$500	\$48,750.00	\$46,312.50
Christopher Hu (CDH)	36.10	35.60	\$425	\$15,130.00	\$14,373.50
Karen Stilber (KES)	33.60	33.50	\$325	\$10,887.50	\$10,343.13
F. Gail LaPurja (FGL)	20.60	18.50	\$275	\$5,087.50	\$4,833.13
Katherine Hamilton (KCH)	22.00	20.80	\$240	\$4,992.00	\$4,742.40
Nathalie Welch (NCW)	206.00	148.50	\$240	\$35,640.00	\$33,858.00
Maisy Sylvan (MHS)	21.20	13.70	\$225	\$3,082.50	\$2,928.38
Hanna Wallace (HW)	0.30	0.00	\$225	\$0.00	\$0.00
Total Hours:	645.70	568.00			
RBGG FEES:				\$244,436.00	\$232,214.20
TOTAL FOR DAPO MONITORING WORK:				\$244,436.00	\$232,214.20

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Costs	Costs Now Owing Based on Negotiated Compromise
Photocopying (in-house)	\$1,253.20	\$1,190.54
Photocopying (outside)	\$349.72	\$332.23
Westlaw	\$56.88	\$54.04
Inhouse Postage	\$216.33	\$205.51
Long distance telephone charges	\$0.65	\$0.62
Travel - Mileage, Tolls, Food	\$3,334.62	\$3,167.89
Total RBGG Costs:	\$5,211.40	\$4,950.83
TOTAL CLAIMED DAPO MONITORING COSTS:	\$5,211.40	\$4,950.83

EXHIBIT D

Armstrong v. Brown
Fourth Quarterly Statement of 2017
October 1, 2017 through December 31, 2017

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$12,237.90	\$94.30
TOTAL UNDISPUTED:		\$12,332.20

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual	Claimed	2017	Claimed	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	7.80	7.80	\$825	\$6,435.00	\$6,113.25
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$515	\$0.00	\$0.00
Jenny S. Yelin (JSY)	0.10	0.00	\$500	\$0.00	\$0.00
Karen E. Stilber (KES)	16.20	14.90	\$325	\$4,842.50	\$4,600.38
Total Hours:	24.20	22.70			
RBGG FEES:				\$11,277.50	\$10,713.63
<u>PRISON LAW OFFICE</u>					
Corene Kendrick (CK)	0.80	0.80	\$675	\$540.00	\$513.00
Ashley Kirby (AK)	4.1	4.1	\$200	\$820.00	\$779.00
Total Hours:	4.90	4.90			
PLO FEES:				\$1,360.00	\$1,292.00
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.30	0.30	\$815	\$244.50	\$232.28
Total Hours:	0.30	0.30			
DREDF FEES:				\$244.50	\$232.28
TOTAL FEES FOR ARMSTRONG FEES WORK:				\$12,882.00	\$12,237.90

Armstrong v. Brown

Fourth Quarterly Statement of 2017

October 1, 2017 through December 31, 2017

Costs***Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**Photocopying and Printing (in-house)
Postage & Delivery**Costs**

\$53.40

\$44.26

Total RBGG Costs:**\$97.66****Costs Now Owing****Based on Negotiated****Compromise**

\$50.73

\$42.05

\$92.78**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

Costs

\$1.60

Total DREDF Costs:**\$1.60**

\$1.52

\$1.52**TOTAL CLAIMED FEES WORK COSTS :****\$99.26****\$94.30**